

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**NEW YORK STATE RESTAURANT
ASSOCIATION,**

Plaintiff,

- against -

**NEW YORK CITY BOARD OF HEALTH,
NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE, and Thomas R. Frieden,
In His Official Capacity as Commissioner
of the New York City Department of Health
and Mental Hygiene,**

Defendants.

No. 2008 Civ. _____

**DECLARATION OF
VALERIE ROACH**

I, Valerie Roach hereby declares under penalty of perjury as follows:

1. I am the Food Quality Associate for Domino's Pizza LLC. I have been with Domino's since June 1999 and have been working with nutritional information since 2004. I am responsible for providing/updating nutritional information for Domino's consumer website, printed materials, school lunch program, and answering nutrition related consumer questions. I have a B.S. in Microbiology and an M.S. in Food Science and Technology

2. Domino's Pizza offers customers a complete nutrition guide on its website and in many of its pizza stores. The nutrition guide allows customers to calculate precisely the nutrition contents of their made to order pizza. The nutrition guide contains a grid which lists each style of pizza and each topping along the left side. For each listed ingredient, Domino's Pizza provides the measurement of calories, carbohydrates, sodium, fat, protein, fiber, sugar, saturated fat, trans fat, cholesterol and Percent Daily Value of vitamins A and C, calcium, and iron. By

following the grid a customer can calculate the calorie count and other nutrient values of any ingredient he or she has selected, add up the numbers and obtain accurate calorie and other nutritional information about his or her pizza order. A copy of the nutrition guide is attached as Exhibit A.

3. Domino's Pizza disagrees with New York City's Regulation 81.50 which would require Domino's to provide a calorie range for items on its menus and menu boards. Every pizza is customized and prepared to order. Because of the multiplicity of combinations of crusts and toppings for our pizzas, Domino's will be forced to post very wide ranges of calories for its pizza offerings. Domino's Pizza believes that listing a range of calories is a poor and inadequate way to communicate with its customers because Domino's is being forced to give information that is not very useful to the customer. A range of 140-460 calories per serving for a pizza is not useful information to a customer and will likely create customer confusion. A customer may ask where in the range the pizza he or she has ordered falls, or may question what ingredients will yield a pizza with a particular calorie count, and may become frustrated when his questions cannot be answered to his satisfaction. Domino's Pizza has developed a nutrition guide which gives customers calories and other nutrient information that is accurate and that they can use in planning their meals. Domino's objects to having to post information on menus and menu boards that is not of use to customers.

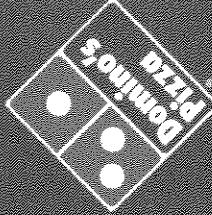
I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on: January 20, 2008

Valerie Roach

Domino's Pizza®

NUTRITION GUIDE

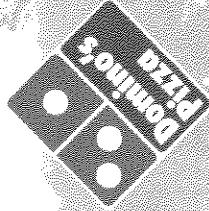
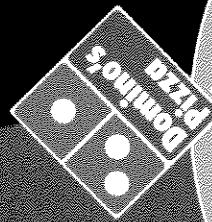


Using the Food Pyramid as a guide, Domino's Pizza can be part of a healthy, balanced diet.

Because pizza is customizable, it is possible to enjoy a variety of foods (bread, vegetables, cheese and meats) in a single slice.

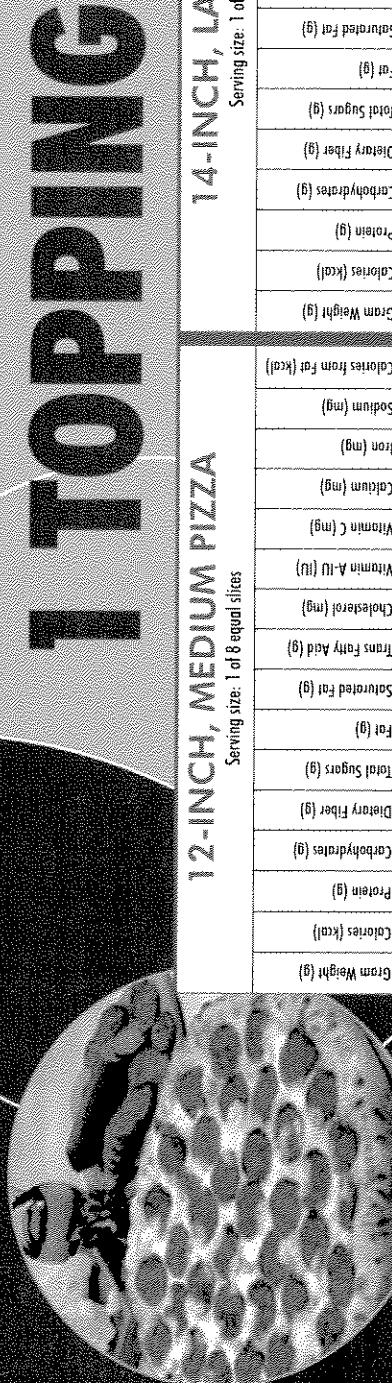
We choose our ingredients on the basis of safety, taste and nutritional content to bring our consumers what they want.

Domino's Pizza dedicates its attention, energy and resources to one mission: Deliver a delicious, hot and fresh pizza made with the highest quality ingredients, every time.



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12-INCH: MEDIUM PIZZA

Serving size: 1 of 8 egg slices

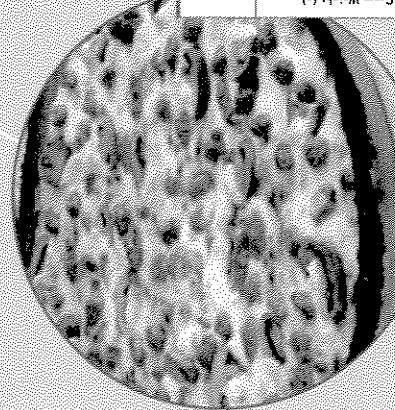
14-INCH. LARGE PIZZA

Serving size: 1 of 8 equal slices

12-INCH, MEDIUM PIZZA		14-INCH, LARGE PIZZA											
		Serving size: 1 of 8 equal slices						Serving size: 1 of 8 equal slices					
CRUST OPTIONS	Sauce/Cheese	Calories		Fat (g)		Saturated Fat (g)		Trans Fat (g)		Cholesterol (mg)		Sodium (mg)	
		Calories	From Fat (kcal)	Total Sugars (g)	Dietary Fiber (g)	Carbohydrates (g)	Protein (g)	Total Sugars (g)	Dietary Fiber (g)	Carbohydrates (g)	Protein (g)	Total Sugars (g)	Dietary Fiber (g)
Classic Hand-Tossed	55	140	6	28	1	3	30	10	0	0	0	10	10
Ultimate Deep Dish	56	140	4	24	3	1	68	10	0	0	0	10	10
Crunchy Thin Crust	22	80	2	12	1	1	35	05	0	0	0	10	10
Pizza Sauce	15	5	9	1	0	1	18	00	0	0	0	21	10
Hand-Tossed & Thin Crust Cheese	16	45	3	1	0	0	40	20	0	0	0	50	10
Deep Dish Cheese	23	60	4	2	0	0	50	25	0	0	0	70	15
Extra Cheese	9	25	2	1	0	0	20	10	0	0	0	25	15
Pepperoni	8	40	2	0	0	0	35	10	0	0	0	45	15
Ham	10	10	2	0	0	0	00	00	0	0	0	10	00
Sausage	12	45	2	1	0	0	35	15	0	0	0	50	20
Beef	12	40	2	0	0	0	30	15	0	0	0	55	20
Onions	8	0	0	1	0	0	00	00	0	0	0	45	20
Green Pepper	8	0	0	0	0	0	00	00	0	0	0	00	00
Mushrooms	12	0	0	0	0	0	00	00	0	0	0	00	00
Ripe (Black) Olives	8	10	0	1	0	0	10	00	0	0	0	10	00
Pineapple	12	10	0	2	0	0	00	00	0	0	0	10	00
American Cheese	11	40	2	0	0	0	30	20	0	0	0	45	25
Cheddar Cheese	7	30	2	0	0	0	25	15	0	0	0	30	20
Provolone Cheese	12	45	3	0	0	0	35	00	0	0	0	45	30
Anchovies	2	0	0	0	0	0	00	00	0	0	0	00	00
Bacon	9	40	4	0	0	0	25	10	0	0	0	40	15
Grilled Chicken	12	20	3	0	0	0	00	00	0	0	0	12	15
Philly Steak	9	10	1	0	0	0	00	00	0	0	0	15	10
Banana Peppers	8	0	0	0	0	0	00	00	0	0	0	00	00
Green Chile Peppers	8	0	0	0	0	0	00	00	0	0	0	00	00
Green Olives	8	15	0	0	0	0	15	00	0	0	0	15	10
Garlic	4	10	0	1	0	0	00	00	0	0	0	15	00
Jalapeno Peppers	8	0	0	0	0	0	00	00	0	0	0	00	00
Tomatoes	18	0	0	1	0	0	00	00	0	0	0	20	10

Standard toppings are available at every Domino's Pizza store in the continental United States. The availability of optional items may vary by store. Premium Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs.

2-3 TOPPINGS



12-INCH, MEDIUM PIZZA

Serving size: 1 of 8 equal slices

14-INCH, LARGE PIZZA

Serving size: 1 of 8 equal slices

		14-INCH, LARGE PIZZA													
		Serving size: 1 of 8 equal slices													
		12-INCH, MEDIUM PIZZA													
		Gram Weight (g)	Calories (Kcal)	Protein (g)	Carbohydrates (g)	Dietary Fiber (g)	Total Sugars (g)	Trans Fat (g)	Saturated Fat (g)	Cholesterol (mg)	Vitamin A-IU (IU)	Vitamin C (mg)	Sodium (mg)	Calories from Fat (Kcal)	
CRUST OPTIONS		Classic Hand Tossed	35	140	6	28	1	1	0	0	10	25	75	230	8
Ultimate Deep Dish		56	160	4	24	3	1	50	10	0	8%	250	50	36	4
Crunchy Thin Crust		22	80	2	12	1	1	35	0	0	2%	250	50	30	3
SAUCE/ CHEESE		Pizza Sauce	15	10	0	1	1	0	0	0	0%	170	35	70	30
Hawaiian & The Good Crust		18	45	1	1	0	0	40	20	0	10%	170	35	70	30
Deep Dish Cheese		23	60	4	2	0	0	50	25	0	10%	220	45	32	80
Extra Cheese		9	25	1	1	0	0	20	10	0	1%	170	35	70	30
Pepperoni		4	40	2	0	0	0	35	10	0	0%	140	30	11	50
Ham		7	10	1	0	0	0	30	10	0	0%	170	35	70	30
Sausage		9	30	1	1	0	0	25	10	0	0%	170	35	70	30
Beef		9	25	1	0	0	0	25	10	0	0%	170	35	70	30
Onions		5	0	0	0	0	0	0	0	0	0%	170	35	70	30
Green Pepper		5	0	0	0	0	0	0	0	0	0%	170	35	70	30
Mushrooms		9	0	0	0	0	0	0	0	0	0%	170	35	70	30
Ripe (Black) Olives		5	5	0	1	0	0	10	0	0	0%	170	35	70	30
Pineapple		9	5	0	1	0	1	30	0	0	0%	170	35	70	30
American Cheese		11	40	2	0	0	0	30	20	0	10%	170	35	70	30
Cheddar Cheese		7	30	2	0	0	0	25	15	0	5%	170	35	70	30
Provolone Cheese		12	45	3	0	0	0	35	20	0	10%	170	35	70	30
Archovies		2	0	0	0	0	0	0	0	0	0%	170	35	70	30
Bacon		6	25	3	0	0	0	20	0	5	0%	170	35	70	30
Grilled Chicken		9	35	2	0	0	0	30	0	0	0%	170	35	70	30
Philly Steak		9	10	2	0	0	0	30	0	0	0%	170	35	70	30
Banana Peppers		5	0	0	0	0	0	0	0	0	0%	170	35	70	30
Green Chile Peppers		5	0	0	0	0	0	0	0	0	0%	170	35	70	30
Green Olives		5	10	0	0	0	0	10	0	0	0%	170	35	70	30
Garlic		3	10	0	1	0	0	0	0	0	0%	170	35	70	30
Jalapeno Peppers		5	0	0	0	0	0	0	0	0	0%	170	35	70	30
Tomatoes		12	0	0	1	0	0	0	0	0	0%	170	35	70	30

*Standard toppings are available at every Domino's Pizza store in the continental United States. The availability of optional items may vary by store. Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs.

FEAST PIZZAS

12-INCH, MEDIUM PIZZA

Serving size: 1 of 8 equal slices

CRUST OPTIONS	MENU SELECTION	Gram Weight (g)	Calories (kcal)	Protein (g)	Carbohydrates (g)	Dietary Fiber (g)	Saturated Fat (g)	Trans Fat (g)	Cholesterol (mg)	Vitamin C (mg)	Chromium A-IU (IU)	Iron (mg)	Sodium (mg)	Calories from fat (kcal)	Calories from fat (%)	Serving size: 1 of 8 equal slices								
Classic Hand-Tossed	\$5.160	628	1,100	10	10	0	0	0%	10	25	10	10	0	0	0%	2%	2%	20	40					
Ultimate Deep Dish	\$5.160	424	310	10	10	0	0	0%	150	50	63	230	6	36	4	10	15%	350	65					
Crunchy Thin Crust	\$5.160	212	80	12	1	1	35	5	0	0%	2%	2%	15	30	30	110	3	16	1					
Américo's Favorite®	\$5.380	64	40	10	10	0	0	0%	40	40	40	82	70	9	6	1	14.0	50	40					
Bacon Cheeseburger®	\$5.440	9	30	110	50	0	30	0%	20%	15%	2%	30	10	72	4	1	15.0	70	40					
Barbecue Feast	\$5.130	7	8	0	4	80	40	0	20	6%	6%	360	70	70	170	9	11	0	5	11.0	50	0		
Deluxe Feast®	\$5.100	5	1	1	80	35	0	15	8%	8%	8%	220	30	70	76	130	7	5	1	10.0	50	0		
ExtravaganZZa®	\$5.160	9	5	1	120	50	0	30	8%	8%	15%	6%	550	110	107	210	12	7	1	16.0	70	0		
Hawaiian Feast®	\$5.160	6	5	1	2	60	30	0	15	8%	4%	10%	2%	370	50	82	130	8	7	1	3	8.0	40	0
MeatZZa Feast®	\$5.150	8	1	1	1	110	50	0	30	8%	2%	15%	4%	380	100	96	210	12	6	1	17.0	80	0	
Pepperoni Feast®	\$5.130	7	4	1	110	50	0	25	8%	2%	10%	4%	530	100	74	160	10	5	1	15.0	70	0		
Philly Cheese Steak	\$4.100	7	1	0	0	70	45	0	20	6%	4%	15%	2%	360	60	58	130	9	2	0	1	9.0	60	0
Vegi Feast®	\$5.160	5	4	1	1	60	30	0	15	8%	8%	15%	4%	240	50	79	120	7	6	1	1	8.0	40	0

*Standard toppings are available at every Domino's Pizza store in the contiguous United States. The availability of options may vary by store. Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs.

FEAST PIZZA TOPPINGS

AMERICA'S FAVORITE FEAST®: Pepperoni, mushroom, sausage

BACON CHEESEBURGER FEAST®: Beef, bacon, cheddar cheese

BARBECUE FEAST®: Barbecue sauce, green pepper, onion, bacon, cheddar cheese

DELUXE FEAST®: Pepperoni, green pepper, onion, mushroom, sausage

EXTRAVAGANZZA FEAST®: Pepperoni, ham, pineapple, extra cheese

HAWAIIAN FEAST®: Ham, green pepper, onion, black olive, mushroom, pineapple, extra cheese

MEATZZA FEAST®: Pepperoni, ham, sausage, beef, extra cheese

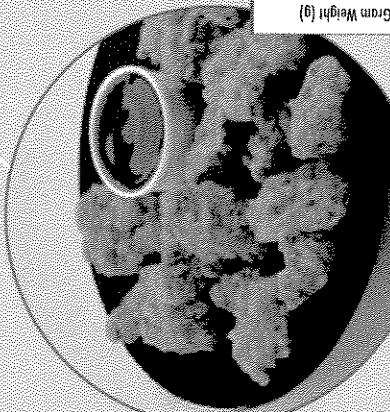
PEPPERONI FEAST®: Extra pepperoni and cheese

PHILLY CHEESE STEAK: Philly meat, mushroom, green pepper, onion, provolone cheese, American cheese

VEGI FEAST®: Green pepper, onion, mushroom, black olive, extra cheese

The nutrition and ingredient information contained in this guide is based on Domino's standard U.S. product formulations. Seasonal, regional, one-off, or specialty variations may occur. Certain menu items may vary from store to store, and may not be available at all locations. Every order is made by hand especially for you by a pizza maker, not a machine. That means variations in nutritional content will occur.
The ingredient listings are provided and reported by ingredient manufacturers. Domino's Pizza LLC, its franchisees and employees, do not assume responsibility for particular sensitivity or allergy to any food provided from our stores.

SIDE ITEMS



BREAD SIDES

DIPPING SAUCES

Parent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs.

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